



(B)

EXAMINER:

GROUP: 3737

APPLICANT: Mark G. Torchia et al

SERIAL NO: 10/014,846

FILED: December 14, 2001

FOR: HYPERTHERMIA TREATMENT AND PROBE THEREFOR

Commissioner of Patents
Washington, D.C., 20231
U.S.A.

Dear Sir:

Small Entity Statement under 37 CFR 1.27

AutoLitt Inc. whose full post office address is 2nd Floor – 140 Bannatyne Avenue, Winnipeg, Manitoba, Canada, R3B 3C5, a small business concern identified in the attached Assignment declare that they qualify as a small business concern for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code.

They declare that rights under contract or law have been conveyed to and remain with them with regard to the invention identified above.

Respectfully submitted

MARK G. TORCHIA ET AL

PER:

Adrian D. Battison
Registration No 31,726

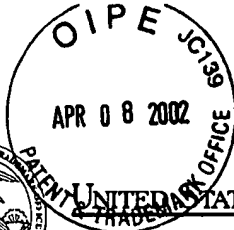
ADB/II

April 5, 2002

Adrian D. Battison

Winnipeg, Manitoba, Canada

Telephone (204) 947-1429 - FAX (204) 942-5723



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

(3)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/014,846	12/14/2001	Mark G. Torchia	

CONFIRMATION NO. 1835

 23529
 ADE & COMPANY
 1700-360 MAIN STREET
 WINNIPEG, MB R3C3Z3
 CANADA

FORMALITIES LETTER



OC000000007505363

Date Mailed: 02/21/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/09/2002 SMINASS1 00000127 10014846

FILED UNDER 37 CFR 1.53(b)

01 FC:201	370.00 OP
02 FC:203	324.00 OP
03 FC:205	65.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$648.
 ▪ \$648 for 36 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1518.

*A copy of this notice **MUST** be returned with the reply.*

S-Greens

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
85058-202 ADB

In Re Application Of: Mark G. Torchia et al

Serial No.
10/014,846

Filing Date
December 14, 2001

Examiner

Group Art Unit
3737

Invention:

HYPERTHERMIA TREATMENT AND PROBE THEREFOR

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
February 21, 2002
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ 1 verified small entity declaration(s)
 - ☒ is/are attached.
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☒ Other (list):

Preliminary Amendment
new claims pages 47 & 48
statement under 37 CFR 1.56
(2) Form PTO 1449
(2) patent copies (2) papers
Assignment Cover Sheet

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

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85058-202 ADB

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10/014,846

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3737

Invention:

HYPERTHERMIA TREATMENT AND PROBE THEREFOR

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

☒ Completion of application fees as calculated below:

☒ Utility application filing fee \$370.00

☐ Design application filing fee _____

☒ Total number of independent claims = 3 _____

☒ Total number of claims = 56 \$324.00

☐ Multiple dependent claims _____

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$65.00

☐ Petition and fee for filing by other than all the inventors or a person not the inventor _____

☐ Fee for processing an application filed with a non-English language specification _____

☐ Fee for processing and retention of application _____

Total completion of application fees \$759.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ until: _____
Date Date

Total time extension fees _____

Total fees due \$759.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
85058-202 ADB

In Re Application Of: **Mark G. Torchia et al**

Serial No.
10/014,846

Filing Date
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Group Art Unit
3737

Invention:

HYPERTHERMIA TREATMENT AND PROBE THEREFOR

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of **\$759.00** is to be paid as follows:

- ☒ A ^{m.b.}check in the amount of the fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.
A duplicate copy of this sheet is enclosed.



Signature

Adrian D. Battison
Registration No: 31,726

ADB/II

Dated: **April 5, 2002**

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC: